

6/1

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
EUGENE DIVISION

Demand for Jury Trial

Johan Steven Gillette 2032724

(Enter full name of plaintiff(s))

Plaintiff(s),

Civil Case No. 6:13CV 2007-CL
(to be assigned by Clerk of the Court)

**PRISONER CIVIL RIGHTS
COMPLAINT**

v.

Thomas M. Turner, Greg Fox
Lane County Sheriff's Office
State of Oregon, Lane County, City of Eugene
(Enter full name of ALL defendant(s))

Defendant(s).

I.

A. Have you brought any other action or appeal in a court of the United States while a prisoner?

Yes

No

B. If your answer to A is yes, how many? _____ Describe the lawsuit(s) in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to the previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

2. Court: _____

3. Docket Number: _____

4. Name of judge to whom case was assigned: _____

5. Disposition (Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing: _____

7. Approximate date of disposition: _____

II.

A. Place of confinement: Lane County Jail

B. Is there a prisoner grievance procedure in this institution?

Yes No

C. Have you filed a grievance concerning the facts relating to this complaint?

Yes No

If your answer is no, explain why not:

D. Is the grievance process completed?

Yes No

III. PARTIES

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff: Johan Gillette
Security Identification No.: 2032724
Address: Lane County Adult Corrections
101 West 5th Avenue Eugene, OR 97401-2695

(In item B, place the full name of each defendant, his/her official position, and his/her place of employment.

B. Defendant Thomas Turner is employed as Sheriff
at Lane County Sheriff's Office

Defendant Greg Fox is employed as Director
at Adult Corrections Division, Lane County Sheriff's Office

Defendant _____ is employed as _____
at _____

Defendant _____ is employed as _____
at _____

Defendant _____ is employed as _____
at _____

Additional defendants: Lane County Sheriff's Office,
State of Oregon, Lane County, City of Eugene

IV. STATEMENT OF CLAIM

Claim I

State what right under the Constitution, laws, or treaties of the United States has been violated.

Food situation is unconstitutional/punitive.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

Food is of punitive nutritional value + quality. Food is served in punitive (small) amounts, + often unhygienically exposed to communicable diseases, etc. LC Jail refuses to give additional food for larger people (even smaller inmates complain of hunger/pain), and refuse extra food to compensate for exercise. LC Jail refuses to turn over nutri. values of food served, or weight of proper portions. \$1.05 Jail then extorts inmates for heavily marked up commissary (\$1.05 for one raven, etc). Jail does not allow outside food, even direct from distributors. Meals are served too early in day (5:30 am, 10:30 am, + 4:30 pm) for healthy schd.

Claim II

State what right under the Constitution, laws, or treaties of the United States has been violated.

Sleeping conditions are punitive/abusive.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

Constant hip/shoulder pain from insufficient padding;
 required two steroid treatments so far for inflammation of left hip.
 Lights are too bright/noisy; there are non-punitive lights
 the jail could use, but ~~choose not to~~ ^{filter}. Jail refuses to allow
 inmates to change color of lights. These conditions are
 particularly punitive for people with depression &/or other
 mental health issues.
 also, pillows are punitive (hurt ears).

Claim III

State what right under the Constitution, laws, or treaties of the United States has been violated.

Hygiene conditions are punitive.

Supporting Facts: (State here as briefly as possible the facts of your case. Describe how each defendant is involved and when the conduct occurred. It is not necessary to give any legal arguments or cite any cases or statutes.)

No floss of any kind is allowed. Mouthwash was given every few months, but not for the last 6 or so. Food prep/service is non-hygenic (sick inmates/staff coughing/sneezing on drinks & food, etc).

(If you have additional claims, describe them on another piece of paper, using the same outline.)

V. RELIEF

*\$ based on physical pain/mental health
State briefly exactly relief you are seeking. Make no legal arguments. Cite no cases or
statutes.*

*Cessation of punitive conditions, \$500.00/day for
all time up until resolution of suit, & punitive damages.
additional \$10.00/day (\$200,000.00) for the ~7 months I was confined
in the East Annex (punitive).*

Signed this 27th day of October, 2013.

Johan Gillette

(Signature of Plaintiff(s))

Claim IV

Denied reasonable access to Law Library.

Law Library access was only granted once when I was capable of using it effectively (due to sleep/mental health issues, mornings are problematic for me).

Jail refuses to even try to be reasonable on time issues.

Law Library time limited to 50 minutes/shot. Law Library access is requested via kite; requests for access granted at irregular intervals, making it impossible to plan for it.

Law Library access now denied me completely.

Claim IV

Unconstitutional censorship violating 1st amendment.

Jail refuses to allow delivery of publications to non-convicts that even convicts serving time in prison can't be denied (Sports Illustrated Swimsuit Edition, etc). LC Jail uses 'sexually explicit' standard to ban publications that no reasonable person would consider sexually explicit (like images of 'bare' breasts that don't show nipples, or are very small/-distant in crowd photos). Esquire issue also refused.

Claim VI

Visitation rules unconstitutionally punitive.

Visiting list too small. Visiting list can only be changed once/month. No contact visits allowed, even for non-convicts. Not enough visitation time or flexible enough scheduling to reasonably allow visits from family/loved ones.

Claim VII

Music/Computer/Radio/TV access denied (punitive).

No music/radio allowed. TV limited to one hour/day.

No computer access. Insufficient phone time/access; phone
price is punitive.

Claim VIII

General conditions of housing are punitive.

After ~8 months of being Medium security, switched back to Maximum w/o any incident/justification.

Dayroom time random every day (prevents development of healthy routine). 'Yard' is concrete (unhealthy), only given once/week at 8:00 am^{for 1 hour}, and the walls are too high to get any sunshine. Also, it's too damned cold at 8:00 am most of the year (unhealthy).

Clothes only changed twice/week. Phone price too high. Razors are of punitive quality. No access to electric razor. Only 10 books/magazines allowed, even if they are your property. Clean clothes only once every 3-4 days. No access to coffee/melatonin/other natural health supplements.

Claim IX

East Annex conditions (punitive).

From 12-12 to 6-30-13

Cell #1K05. Confined for ~6 months in East Annex (punitive conditions). No outside windows in cells. No light switch in cells (Lights out at 11pm, on at 5:30 am). No mirror in cell. No furniture in cell other than sink/toilet structure + concrete 'bunk'. View of TV from cell, but TV kept off when no dayroom was running (deputy's choice; punitive).